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4 UNITED STATES DISTRICT COURT  
5 CENTRAL DISTRICT OF CALIFORNIA

6 LYNN MACY,

7 PLAINTIFF,

8 VS.

9 CSA-18 SPECIAL DISTRICTS PUBLIC  
10 WORKS,

11 DEFENDANT.

Case No.: 5:24-cv-00902-AB-SHK

**PLAINTIFF'S OPPOSITION TO  
DEFENDANT'S MOTION TO DISMISS  
PLAINTIFF'S SECOND AMENDED  
COMPLAINT; MEMORANDUM OF POINTS  
& AUTHORITIES, & REQUEST FOR  
JUDICIAL NOTICE**

Date: August 27, 2025

Time: 10:00 a.m.

Location: George E. Brown, Jr.  
United States Courthouse 3470 12<sup>th</sup> St.,  
Courtroom 3 or 4, Riverside, CA 92501

Case Assigned to:  
Honorable District Court Judge Andre  
Birotte, Jr.

Referred to:  
Honorable Magistrate Judge Shashi H.  
Kewalramani

**TO THE HONORABLE COURT, DEFENDANT, & THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that Plaintiff LYNN MACY's Opposition to Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint; Memorandum of Points & Authorities, & Request for Judicial Notice being heard on August 27, 2025, at 10:00 a.m. before the Honorable Magistrate Judge Shashi H. Kewalramani in Courtroom 3 or 4, at 3470 12<sup>th</sup> Street, Third Floor, Riverside, California 92501. This Opposition to Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint; Memorandum of Points & Authorities, & Request for Judicial Notice is based on this Notice. Based on the foregoing, it is respectfully requested that Defendant's Motion to Dismiss Plaintiff's Second

1 Amended Complaint; Memorandum of Points & Authorities, & Request for  
2 Judicial Notice be dismissed.

3 Plaintiff's Second Amended Complaint is in compliance with Rule 8. The  
4 SAC does allege liability statutes & authoirizing statutes for claims against the  
5 Defendant. Plaintiff's first claim for relief for "Unreasonable Search" does state a  
6 claim upon which relief can be granted against this moving Defendant.

7 Plaintiff's second claim for relief for Municipal & Supervisorial Liability, Monell,  
8 does state a claim upon which relief can be granted against this moving  
9 Defendant. Plaintiff's third claim for relief "Invasion of Privacy" & Intentional  
10 Infliction of Emotional Distress ("IIED") does state a claim upon which relief can  
11 be granted against the moving Defendant. Plaintiff's fourth claim for Trespass  
12 does state a claim upon which relief can be granted against this moving  
13 Defendant. Plaintiff's fifth claim for Destruction of Private Property does state a  
14 claim upon which relief can be granted against this moving Defendant.

15 Plaintiff's sixth claim for Extortion does state a claim upon which relief can be  
16 granted against this moving Defendant.

17 Plaintiff has alleged the necessary factual & legal bases to support  
18 cognizable federal claims. Plaintiff has provided Defendant with a concise  
19 summary of the events, people, locations, facts surrounding the events,  
20 encounters, interactions & gives Defendant fair notice of what Plaintiff's claim is  
21 & the grounds upon which it rests. Plaintiff's complaint does state a claim & has  
22 cognizable legal theory & has sufficient facts under a cognizable legal theory.  
23 The court must construe the complaint in the light most favorable to the Plaintiff.  
24 To be sufficient under the Federal Rules of Civil Procedure, a complaint must  
25 contain a "short and plain statement of the claim showing that the pleader is  
26 entitled to relief". This requirement, found in Federal Rule of Civil Procedure  
27

1 8(a)(2), mandates that the pleading include sufficient factual matter, accepted  
2 as true, to state a claim that is plausible on its face. The court must accept the  
3 nonmoving party's allegations as true when evaluating a motion to dismiss. To  
4 survive such a motion, the complaint must allege facts that allow the court to  
5 draw the reasonable inference that the defendant is liable for the misconduct  
6 alleged. This plausibility standard applies to all claims, including allegations of  
7 conditions of the mind like intent or malice, which, although they can be  
8 alleged generally under Rule 9(b), must still be supported by sufficient facts to  
9 render the allegation plausible. Plaintiff has sufficient facts in the Complaint as to  
10 why Defendants are liable. For the reasons discussed, even viewing the facts  
11 presented in the SAC & the inferences to be drawn therefrom in the light most  
12 favorable to Plaintiff, there are many plausible claims against Defendant.

13 Defendant's Motion to dismiss Plaintiff's SAC should be dismissed.  
14

15 Fed. R. Civ. P. 8 requires that a complaint contain a short & plain  
16 statement of the claim showing that the pleader is entitled to relief. Fed. R. Civ.  
17 P. 8(a). While Rule 8 does not require detailed factual allegations, at a minimum,  
18 a complaint must allege factual allegations to provide "fair notice" of both the  
19 particular claim being asserted & "the grounds upon which [the particular  
20 claim] rests." Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007) (citation &  
21 quotation marks omitted). Plaintiff's SAC does comply & clearly & concisely sets  
22 forth factual allegations sufficient to provide Defendant with notice of which  
23 Defendant is being sued, on which theory, & what relief is being sought against  
24 them. The SAC does allege concrete details as to the "who", "when", or the  
25 "Where" all of the events, incident, & encounters described therein occurred. -

26 Defendant's Attorney Seonhae Shin failed to make a reasonable & good  
27 faith attempt to settle all issues. Defendant's Attorney also refused to discuss the  
28

1 case at all. Defendant's Attorney continues to only dismiss the case & not  
2 resolve the issues, also not allowing Plaintiff to discuss the case. Lead Counsel  
3 has not contacted Plaintiff or offered any solutions about facts; intentionally  
4 leaving things out. During this time, parties must discuss & make a **good faith**  
5 **attempt to settle all issues**, even if a complete settlement is not possible & only  
6 conditional agreements are made. Defendant's attorney refused to make **any**  
7 attempt at settling the issues in the Complaint & only talked about dismissing the  
8 case. Defendant's Attorney did not follow CCP sections **435.5 & 430.41** & did not  
9 meet & confer. Defendant's Attorney made no effort to engage in good faith  
10 attempts to come to an agreement or to allow Plaintiff's son who has Power of  
11 Attorney for Lynn Macy; Jeff Macy to discuss the case. Plaintiff's son Jeff Macy  
12 asked many times over the phone if Defendant's Attorney would come to any  
13 agreement, which Defendant's Attorney refused to answer, only discussed  
14 dismissing the case. Defendant's Attorney even said, they can't talk to us by the  
15 San Bernardino legal department. Defendant's refuse to negotiate with Plaintiff.  
16 Plaintiff has tried to meet with Defendant's Attorney numerous times to discuss  
17 coming to an agreement, but Defendant's won't return Plaintiff's calls or  
18 communicate with Plaintiff.

20        Attorney admitted that Plaintiff already won a hearing Case #: CSE-2023-  
21 14000, but won't admit that it is an official court hearing; even though official  
22 hearing officer in a legal proceeding agreed that "more likely than not,  
23 Defendants trespassed" & Plaintiff won the hearing. There has been no  
24 presence of lead counsel on this case. Seonhae Shin has been extremely rude  
25 on phone & does not allow Plaintiff's son Jeff Macy to respond to anything.  
26 Defendant's Attorney demands to only meet & confer at her convenient day &  
27 time. Attorney did not understand the case, only read it, & was unwilling to

1 acknowledge this historic Religious case. Seonhae Shin did not cooperate &  
2 only tried to cover up for the County of San Bernardino. This was not a proper  
3 meet & confer, there was no resolution, Attorney only tried to dismiss this case.  
4 Attorney was argumentative, did not answer questions, & did not investigate.  
5

6 Our Country, the United States of America was founded upon standing up  
7 against religious oppression. Attorney refused to cooperate, would not say if she  
8 swore an oath to the U.S. Constitution or not. Defendant's attorney only wanted  
9 to go over her side of the case, outside agency, not proper representation,  
10 cannot represent San Bernardino County without swearing an oath to the  
11 Constitution. According to California Constitution Article XX Miscellaneous  
12 Subjects Sec. 3. "Members of the Legislature, & all public officers & employees,  
13 executive, legislative, & judicial, except such inferior officers & employees as  
14 may be by law exempted, shall, before they enter upon the duties of their  
15 respective offices, take & subscribe the following oath or affirmation: "I,  
16 \_\_\_\_\_, do solemnly swear (or affirm) that I will support & defend the  
17 Constitution of the United States & the Constitution of the State of California  
18 against all enemies, foreign & domestic; that I will bear true faith & allegiance to  
19 the Constitution of the United States & the Constitution of th e State of California;  
20 that I take this obligation freely, without any mental reservation or purpose of  
21 evasion; & that I will well & faithfully discharge the duties upon which I am about  
22 to enter. "Public officer & employee" includes every officer & employee of the  
23 State, including the University of California, every county, city, district, &  
24 authority, including any department, division, bureau, board, commission,  
25 agency, or instrumentality of any of the foregoing."

26 Defendant's Attorney is being a bully, just like the County of San  
27 Bernardino who keeps giving Plaintiff frivolous notices of violations, & Plaintiff's  
28

1 son asked numerous times if she knew about the case, which she would not  
2 respond to. Seonhae Shin is illegally covering up, extremely rude, insulting,  
3 argumentative, not cooperative, & only wanted to dismiss the case. Attorney  
4 also refused to tell Plaintiff about her investigation, if she even did one, simply  
5 getting as much tax payer dollars as she can. County is refusing to  
6 acknowledge this as a religious case & that Plaintiff is being religiously  
7 discriminated against. Defendant's Attorney made no effort or attempt in good  
8 faith to resolve the issues in the Complaint.  
9

10 Plaintiff has already complied with the Government Tort Claims Act under  
11 Government Code Sec. 900 et seq., a plaintiff is required to timely file a written  
12 claim with a public entity, within a certain time period, before the plaintiff is able  
13 to file a suit. Plaintiff has filed multiple claims with Sophia Salas at the  
14 Department of Risk Management. Plaintiff has multiple claim #'s that can be  
15 provided. Plaintiff has Power of Attorney from Mother Lynn Macy to bring suit on  
16 her behalf. Plaintiff is also the Director of Religious Organization 1611Bible.us.

17 The Complaint provides many details about the incidents, encounters, &  
18 causes of actions. The Complaint also alleges sufficient facts in support of each  
19 & every cause of action, the statutory basis for liability, & authorizing statutes  
20 against this public entity Defendant. Before a demurrer can be filed, CCP  
21 section 430.41 requires the parties to meet & confer in person or by telephone  
22 call. (CCP § 430.41(a).) As set forth in the accompanying Declaration of  
23 Seonhae Shin,

24 counsel in good faith attempted to telephonically meet & confer with  
25 Plaintiff regarding the moving party's objections to Plaintiff's Complaint. As of  
26 the preparation & filing of this Demurrer, the parties could not reach an  
27

1 agreement because Defendants made no effort to resolve the case. Thus, this  
2 Demurrer is improper & should not be sustained without leave to amend.  
3

4 Based on the foregoing, Plaintiff respectfully requests that this Court  
5 dismiss Defendant's Demurrer & Motion to Strike without leave to amend.  
6

7  
8 Respectfully Submitted,  
9

10   
11 By Declarant: Jeff Macy

Jeff Macy

12 (Power of Attorney for Plaintiff Lynn Macy; Bible Translator & Director of Religious  
13 Organization 1611Bible.us)  
14

15 Dated: 8 - 6 - 25

## **DECLARATION OF SERVICE BY E-MAIL**

**Case Name:** Macy, Lynn, v. CSA-18 Special Districts Public Works

**Case No.:** 5:24-cv-00902-AB-SHK

I declare:

1. I am at least 18 years old.

- a. My residence or business address is: P.O. Box # 433, Twin Peaks, CA 92391.
  - b. My electronic service address is: Jerushastar@gmail.com.

2. I electronically served the following documents: **PLAINTIFF'S OPPOSITION**

**TO DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED  
COMPLAINT; MEMORANDUM OF POINTS & AUTHORITIES, & REQUEST FOR  
JUDICIAL NOTICE.**

3. I electronically served the documents listed in 2 as follows:

- a. Name of person served: Kellie Shin & Marisela Alonso

On behalf of: CSA-18 Special Districts Public Works

- b. Electronic service address of person(s) served:

kellie.shin@cc.sbccounty.gov & Marisela.Alonso@cc.sbccounty.gov

c. On: 8/6/25

Date: 8/6/25

I declare under penalty of perjury under the laws of the State of California that the foregoing is true & correct.

Declarant: Jerusha Macy  
Jerusha Macy

Jerusha Macy